



CPA/1771
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Atty. Dkt. No. 040679-1012

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hiroaki MIURA et al.

Title: SOUND ABSORBING MATERIAL AND INTERIOR MATERIAL
USING THE SAME

Appl. No.: 09/506,489

Filing Date: February 18, 2000

CPA Filed: December 16, 2002

Examiner: Jeremy Pierce

Art Unit: 1771

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DEC 18 2002
TC 1700

CONTINUED PROSECUTION APPLICATION (CPA)
REQUEST TRANSMITTAL

Commissioner for Patents
Box CPA
Washington, D.C. 20231

Sir:

This is a request under 37 C.F.R. § 1.53(d), Continued Prosecution Application (CPA), for a:

☐ Continuation

☒ Divisional

application of the above-identified prior nonprovisional application of:

Hiroaki MIURA
Katsumi MOROHOSHI
Masashi ITO

in which no payment of issue fee, abandonment, or termination of proceedings has occurred. Priority to the above-identified prior application is hereby claimed under 35 U.S.C. § 120 for this CPA.

☒ **A CHANGE IN ELECTION IS DESIRED.** Applicants would like to elect the claims of Group II, Claims 3-7, 13 and 14, identified in the Office Action dated December 19, 2001, for prosecution in the subject application.

☐ Applicants claim small entity status under 37 CFR 1.27.

☐ Please enter the unentered amendment previously filed on ___ in the prior application.

☒ Please enter the enclosed Preliminary Amendment.

Enclosed are:

- ☐ Small Entity statement.
- ☐ Information Disclosure Statement.
- ☐ Form PTO-1449 with copies of ___ listed reference(s).
- ☐ Application Data Sheet (37 CFR 1.76).

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims	Rate	Fee Totals
Basic Fee				\$740.00	\$740.00
Total Claims:	7	- 20	= 0	x \$18.00	= \$0.00
Independents:	2	- 3	= 0	x \$84.00	= \$0.00
If any Multiple Dependent Claim(s) present:			+	\$280.00	= \$0.00
				SUBTOTAL:	= \$740.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):					=
Petition for Extension of Time (one-month):					= \$110.00
				TOTAL FILING FEE:	= \$740.00

- ☐ Applicant requests suspension of action under 37 CFR 1.103(b) (fee under 37 CFR 1.17(i) enclosed).
- ☒ A check in the amount of \$740.00 to cover the filing fee is enclosed.
- ☐ The required filing fees are not enclosed but will be submitted in response to the Notice to File Missing Parts of Application.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.


Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: December 16, 2002

FOLEY & LARDNER
Washington Harbour
3000 K Street, N.W., Suite 500
Washington, D.C. 20007-5143
Telephone: (202) 672-5300
Facsimile: (202) 672-5399

By



34371

Richard L. Schwaab
Attorney for Applicant(s)
Registration No. 25,479



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PRELIMINARY AMENDMENT

Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to considering the pending application, please amend the application as follows:

In the Claims:

✓ ✓ ✓
Please cancel claims 1, 2, and 8-12 without prejudice or disclaimer.

In the Specification:

Please replace the paragraph starting on page 21, line 15, bridging pages 21 and 22 with the following rewritten version of the same paragraph. The changes are shown expressly in the attached Version With Markings To Show Changes Made:

B2
The sound transmission loss test was conducted as follows: The test was to measure a sound transmission loss by using two reverberation rooms, according to JIS (Japanese Industrial Standard) – A1416. First, the samples (interior material) prepared according to Examples, Earlier Technology, and Comparative Examples were formed to